

REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks.

Claims 1, 4, 7-9, 11-15, 17, 19, 20, 23-26, 29-38, 40, and 41 are pending in the application, with claims 1, 12, 20, 26, and 33 being independent. Applicant amends claims 1, 4, 8, 9, 11, 12, 17, 19, 20, 23, 24, 25, 26, 30, 31-38, and 40-41 to further clarify features of the claimed subject matter. The original specification and drawings support these claim amendments at least at paragraph [0050]. Therefore, claims 1, 4, 7-9, 11-15, 17, 19, 20, 23-26, 29-38, 40, and 41 are presented and directed to subject matter of the original disclosure.

Applicant's amendments and remarks after Final are appropriate under 37 C.F.R. §1.116 because they address the Office's remarks in the Final Action, and thus could not have been presented earlier. In addition, the amendments and remarks should be entered to place the application in better form for appeal.

CLAIM REJECTIONS UNDER 35 U.S.C. § 102

Claims 1, 6-8, 11-14, 17, 19, 20, 24-26, 29, 31-34, 36-38, and 41 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,369,835 Lin et al (hereinafter "Lin"). Applicant respectfully traverses the rejection.

Without conceding the propriety of the stated rejection, and only to advance the prosecution of this application, Applicant amends **independent claim 1** to further clarify features of the claimed subject matter. Amended claims 1 now recites a computer-

implemented method comprising computer-executable instructions, the method comprising (emphasis added):

examining a plurality of nodes within a media timeline, wherein:

the media timeline is for exposure over an application programming interface (API);

one or more nodes reference respective media;

dividing the media timeline into one or more presentations, wherein each presentation describes a rendering of the media for a particular interval of time, and wherein each presentation describes a collection of software components that, when executed, provides the described rendering of the media for the particular interval of time, wherein the collection of software components include a transform and comprise at least one of a timeline source, a media source, a media session, a media engine, a source resolver, or a media sink;

configuring at least one node for communication of events to another node such that a change may be made to the media timeline while the media timeline is rendered, *wherein the rendered media timeline is presented on an output device;*

loading each software component described by a first collection;

executing each software component described by the first collection; and

loading each software component described by a second collection, *wherein each software component that is described by the second collection is loaded during the executing of the first collection.*

Applicant respectfully submits that the Office has failed to show that Lin discloses such a method.

The Office Fails to Show That Lin discloses the Claimed Method

Applicant respectfully submits that the Office has failed to show that Lin discloses the claimed method. The Office cites the following sections from Lin as

disclosing the claimed software components: Column 12, lines 53-65; Column 13, lines 3-17 and lines 18-37; and Column 18, lines 20-24. Applicant respectfully disagrees. Rather, Lin describes generating a movie file from a slide show presentation created with a presentation program. *See*, Abstract. To assist the Office in appreciating the subject matter described by Lin, Applicant's reproduces the following excerpt from Lin.

Lin Reference, Col. 8, lines 16-32

Since a movie file should play without having to manually select when each scene, i.e., slide, is to be displayed, the present invention provides for defining the amount of time (increment) for displaying each slide/scene in the movie file during the transformation process. For example, if the user has specified a time increment for a particular slide in the slide show presentation, the present invention will employ the same time increment to display that slide/scene in the movie file. A fill-in box 72 is provided for indicating the default time increment for slides in the transformed slide show presentation objects that are not associated with a specific time increment. The selection of a check box 86 causes a slider bar control to be provided by the movie API when the movie file is played in a browser. The slider bar control may be used to control the playback of the movie by scrolling (backwards and forwards), rewinding and fast forwarding.

In contrast, Applicant's amended claim 1 recites "*configuring at least one node for communication of events to another node such that a change may be made to the media timeline while the media timeline is rendered, wherein the rendered media timeline is presented on an output device.*" To assist the Office in appreciating the claimed subject matter, the following excerpt is reproduced from the Applicant's Specification.

Applicant's Specification, paragraph [0050]

A presentation, as used in this document, refers to or describes the handling of media. In the illustrated and described embodiment, a presentation is used to describe

the format of the data on which the media engine 208 is to perform an operation. Thus, a presentation can result in visually and/or audibly presenting media, such as a multimedia presentation in which both audio and accompanying video is presented to user within a window rendered on a display device, such as output device 110(j) of FIG. 1 that is illustrated as a display device that may be associated with a desk-top PC.

In addition, Applicant's amended claim 1 also recites *"loading each software component described by a second collection, wherein each software component that is described by the second collection is loaded during the executing of the first collection."*

As described in Applicant's specification, the timeline source may provide successive topologies that include software components that, when executed, provide the described rendering for a particular interval of time. *See*, Applicant's Specification, paragraph [00177]. Thus, through utilization of the timeline source, each software component referenced by the media timeline need not be loaded and/or created during loading of the media timeline, but rather may be created and/or loaded on an "as needed" basis. *See*, Applicant's Specification, paragraph [00177].

As the Office has failed to show that Lin discloses these recited features, Applicant respectfully submits that claim 1 is not anticipated by Lin. Therefore, Applicant respectfully requests that the §102 rejections be withdrawn.

Dependent claims 7-8 and 10-11 depend directly from independent claim 1 and thus are allowable as depending from an allowable base claim. Dependent claims 7-8 and 10-11 are also allowable for their own recited features that, in combination with those recited in claim 1, are not shown by the Office to be disclosed by Lin.

Thus, Applicant respectfully submits that the Office has failed to show that each and every feature is disclosed, and thus the claims are not anticipated by Lin. Applicant respectfully requests that the § 102 rejections be withdrawn.

Independent Claim 12

Without conceding the propriety of the stated rejection, and only to advance the prosecution of this application, Applicant amends **independent claim 12** to further clarify features of the claimed subject matter. Amended claim 12 now recites a computer-implemented method comprising computer-executable instructions, the method comprising (emphasis added):

receiving a call from an application over an API for rendering a media timeline, wherein:

the media timeline includes a plurality of nodes, wherein the plurality of nodes comprises at least a parent node and a child node;

two or more nodes reference respective media;

the media timeline defines one or more presentations including media;

rendering the media timeline to output each presentation *to an output device*, wherein the rendering further comprises dividing the media timeline into the one or more presentations such that each presentation describes a collection of software components utilized to render media for a particular interval of time, wherein the collection of software components include a transform and comprise at least one of a timeline source, a media source, a media session, a media engine, a source resolver, and a media sink; and

configuring at least one node for communication of events to another node such that a change may be made to the media timeline while the media timeline is rendered by performing at least one of the following:

changing to a property of the at least one node;

adding one or more additional nodes as a child to the at least one node;

removing one or more nodes that are children
of the at least one node;
adding an effect to the at least one node; and
removing an effect from the at least one
node;
loading each software component described by a
first collection;
executing each software component described by
the first collection; and
loading each software component described by a
second collection.

Applicant respectfully submits that the Office has failed to show that Lin discloses such a method.

The Office Fails to Show That Lin discloses the Claimed Method

Applicant respectfully submits that the Office has failed to show that Lin discloses such a method and is allowable for reasons similar to those discussed above with respect to claim 1. For example, the Office has failed to show that Lin discloses “rendering the media timeline to output each presentation to an output device,” as well as “loading each software component described by a first collection; executing each software component described by the first collection; and loading each software component described by a second collection,” as recited in Applicant’s amended claim 12.

In addition, Applicant respectfully submits that Lin fails to disclose the claimed “configuring at least one node for communication of events to another node such that a change may be made to the media timeline while the media timeline is rendered by performing at least one of the following: changing to a property of the at least one node; adding one or more additional nodes as a child to the at least one node; removing one or

more nodes that are children of the at least one node; adding an effect to the at least one node; and removing an effect from the at least one node,” as recited in Applicant’s amended claim 12. To assist the Office in appreciating the claimed subject matter, the following excerpt is reproduced from the Applicant’s Specification.

Applicant’s Specification, paragraph [00122]

Dynamic creation and loading of nodes of a media timeline may be utilized for efficient rendering of the media timeline. By improving rendering efficiency, the media timeline may be utilized on low resource devices, such as devices having limited hardware and/or software resources. For example, dynamic creation of the media timelines may include delayed creation of the nodes of the media timeline. The children of a parent node, for instance, need not be created until needed. The delayed creation of the nodes may be utilized to improve start-up and response times for media timelines having a significant number of nodes and/or a large amount of data for each node. For instance, a media player may be utilized to create and playback a playlist from a media library that contains a significant number of selections. Creating such a playlist might require multiple queries to the media library, which may take a significant amount of time, processor and memory resources. By using delayed creation of the nodes, the playlist can be built on an “as needed” basis, thereby utilizing only as much processing and memory resources as required by the nodes needed at any one particular time. There are a wide variety of implementations that may be utilized for dynamic creation and/or loading of nodes of a media timeline.

Applicant respectfully submits that Lin fails to disclose such a dynamic creation. Rather Lin describes transforming slide show presentation objects into movie data with a standard movie format. *See*, Column 7, lines 21-23. For example, FIG. 3A and 3B of Lin are flow diagrams that illustrate an overview of the logic for saving a slide show presentation as a movie file. *See*, Column 9, lines 46-49. FIG. 3 begins in a start block

and proceeds to a block where the presentation is created and/or edited with a presentation program, such as “PowerPoint.” *See*, Column 9, lines 49-51. Moving to a decision block, a test is made to determine if a “Save As Movie File” command is selected. *See*, Column 9, lines 51-53.

As the Office has failed to show that Lin discloses these recited features, Applicant respectfully submits that claim 12 is not anticipated by Lin. Therefore, Applicant respectfully requests that the §102 rejections be withdrawn.

Dependent claims 13, 14, 17, and 19 depend directly from independent claim 12 and thus are allowable as depending from an allowable base claim. Dependent claims 13, 14, 17, and 19 are also allowable for their own recited features that, in combination with those recited in claim 12, are not shown by the Office to be disclosed by Lin.

Thus, Applicant respectfully submits that the Office has failed to show that each and every feature is disclosed, and thus the claims are not anticipated by Lin. Applicant respectfully requests that § 102 rejections be withdrawn.

Independent Claim 20

Without conceding the propriety of the stated rejection, and only to advance the prosecution of this application, Applicant amends **independent claim 20** to further clarify features of the claimed subject matter. Amended claim 20 now recites one or more computer-readable storage media comprising computer executable instructions that, when executed on a computer, direct the computer to divide a media timeline into one or more presentations, wherein (emphasis added):

the media timeline is for exposure via an API to one
or more applications;

the media timeline includes a plurality of nodes, wherein the plurality of nodes comprises at least one of a parent node and a child node;

at least two nodes reference respective media;

each presentation describes rendering of respective media *to an output device* for a particular interval of time, wherein each presentation describes a collection of software components that, when executed, provide the described rendering of media for the particular interval of time, and wherein the collection of software components include a transform and comprise at least one of a timeline source, a media source, a media session, a media engine, a source resolver, and a media sink;

the one or more computer-readable media further comprises computer executable instructions that, when executed on the computer, direct the computer to:

load each software component described by a first collection;

execute each software component described by the first collection; and

load each software component described by a second collection.

Applicant respectfully submits that the Office has failed to show that Lin discloses such a computer-readable media and is allowable for reasons similar to those discussed above with respect to claim 12. For example, the Office has failed to show that Lin discloses “each presentation describes rendering of respective media *to an output device* for a particular interval of time” as well as “the one or more computer-readable media further comprises computer executable instructions that, when executed on the computer, direct the computer to: load each software component described by a first collection; execute each software component described by the first collection; and load each software component described by a second collection,” as recited in Applicant’s amended claim 20. As the Office has failed to show that Lin discloses these recited

features, Applicant respectfully submits that claim 20 is not anticipated by Lin. Thus, Applicant respectfully requests that the §102 rejections be withdrawn.

Dependent claims 24 and 25 depend directly from independent claim 20 and thus are allowable as depending from an allowable base claim. Dependent claims 24 and 25 are also allowable for their own recited features that, in combination with those recited in claim 20, are not shown by the Office to be disclosed in Lin.

Thus, Applicant respectfully submits that the Office has failed to show that each and every feature is disclosed, and thus the claims are not anticipated by Lin. Applicant respectfully requests that the § 102 rejections be withdrawn.

Independent Claim 26

Without conceding the propriety of the stated rejection, and only to advance the prosecution of this application, Applicant amends **independent claim 26** to further clarify features of the claimed subject matter. Amended claim 26 now recites a system comprising (emphasis added):

a plurality of media;
a plurality of applications; and
an infrastructure layer that:
 provides an API for the plurality of
 applications which exposes a media timeline that describes
 one or more presentations of the plurality of media; and
 manages rendering of the one or
 more presentations, wherein each presentation describes
 rendering of media *to an output device* for a particular
 interval of time, and wherein each presentation describes a
 collection of software components configured for dynamic
 loading such that the collection of software components
 provide the described rendering of the media for the
 particular interval of time, wherein the collection of
 software components include a transform and comprise at
 least one of a timeline source, a media source, a media

session, a media engine, a source resolver, and a media sink, wherein the collection of software components are loaded only when needed.

Applicant respectfully submits that the Office has failed to show that Lin discloses such a system and is allowable for reasons similar to those discussed above with respect to claim 12. For example, the Office has failed to show that Lin discloses *“manages rendering of the one or more presentations, wherein each presentation describes rendering of media to an output device for a particular interval of time, and wherein each presentation describes a collection of software components configured for dynamic loading such that the collection of software components provide the described rendering of the media for the particular interval of time, wherein the collection of software components include a transform and comprise at least one of a timeline source, a media source, a media session, a media engine, a source resolver, and a media sink, wherein the collection of software components are loaded only when needed,”* as recited in Applicant’s amended claim 26. As the Office has failed to show that Lin discloses these recited features, Applicant respectfully submits that claim 26 is not anticipated by Lin. Thus, Applicant respectfully requests that the §102 rejections be withdrawn.

Dependent claims 29, 31, and 32 depend directly from independent claim 26 and thus are allowable as depending from an allowable base claim. Dependent claims 29, 31, and 32 are also allowable for their own recited features that, in combination with those recited in claim 14, are not shown by the Office to be disclosed by Lin.

Thus, Applicant respectfully submits that the Office has failed to show that each and every feature is disclosed, and thus the claims are not anticipated by Lin and Applicant respectfully requests that the § 102 rejections be withdrawn.

Independent Claim 33

Without conceding the propriety of the stated rejection, and only to advance the prosecution of this application, Applicant amends **independent claim 33** to further clarify features of the claimed subject matter. Amended claim 33 now recites a timeline source comprising computer instructions that, when executed by a computer, provide (emphasis added):

means for dividing a media timeline into one or more presentations each describing a rendering of one or more media during a particular interval of time, wherein the media timeline exposes a plurality of nodes to a plurality of applications, wherein one or more nodes reference respective said media, and wherein the media timeline is configured for dynamic loading such that metadata included in at least one node specifies a collection of nodes to be loaded when the media timeline is rendered, *wherein the rendered media timeline is presented on an output device*;

means for determining a topology for each presentation, wherein the topology references a collection of software components that, when executed, provides the rendering; and

media processor means for executing the topology for each presentation that is described by the media timeline.

Applicant respectfully submits that the Office has failed to show that Lin discloses such a timeline source and is allowable for reasons similar to those discussed above with respect to claim 12. For example, the Office has failed to show that Lin discloses “*means for dividing a media timeline into one or more presentations each describing a rendering of one or more media during a particular interval of time, wherein the media timeline exposes a plurality of nodes to the plurality of applications,*

wherein one or more said nodes reference respective said media, and wherein the media timeline is configured for dynamic loading such that metadata included in at least one said node specifies a collection of said nodes to be loaded when the media timeline is rendered, wherein the rendered media timeline is presented on an output device,” as recited in Applicant’s claim 33. As the Office has failed to show that Lin discloses these recited features, Applicant respectfully submits that claim 33 is not anticipated by Lin. Thus, Applicant respectfully requests that the § 102 rejection be withdrawn.

Dependent claims 34, 36-38 and 41 depend directly from independent claim 33 and thus are allowable as depending from an allowable base claim. Dependent claims 34, 36-38 and 41 are also allowable for their own recited features that, in combination with those recited in claim 33, are not shown by the Office to be disclosed in Lin.

Thus, Applicant respectfully submits that the Office has failed to show that each and every feature is disclosed, and thus the claims are not anticipated by Lin. Applicant respectfully requests that the § 102 rejections be withdrawn.

CLAIM REJECTIONS UNDER 35 U.S.C. § 103

Claims 4, 9, 15, 23, 30, 35 and 40 stand rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 6,369,835 Lin et al. (hereinafter “Lin”) in view of U.S. Patent No. 6,266,053 French et al. (hereinafter “French”). Applicant respectfully traverses the rejection.

Applicant submits that all of the criteria set forth for making a prima facie case have not been met by the Office. All of the § 103(a) rejections rely on Lin as the primary reference. As explained with respect to independent claims 1, 12, 20, 26, and 33,

Applicant submits that Lin fails to disclose the features of independent claims 1, 12, 20, 26, and 33. Dependent claims 4, 9, 15, 23, 30, and 40 depend from one of independent claims 1, 12, 20, 26, and 33, respectively, and are allowable by virtue of this dependency. These dependent claims are also allowable for their own recited features that, in combination with those recited in independent claims 1, 12, 20, 26, and 33 are not disclosed, taught, or suggested by Lin.

With respect to dependent claims 9 and 40, Applicant agrees with the Office that Lin fails to teach a node is specified as read-only. *See* Office Action, page 20.

With respect to dependent claims 4, 15, 23, 30, and 35, Applicant agrees with the Office that Lin fails to teach each said presentation describes a respective partial topology of software components; and the respective partial topology is for resolving into a full topology that references each software component utilized to provide a respective said presentation. *See* Office Action, page 19.

Applicant submits that French fails to compensate for the deficiencies of Lin. French is directed towards a technique for representing a time varying visual scene as a directed acyclic graph of data and operators that generates a sequence of image frames over specified time intervals. (Col. 3, lines 46-50). The system provides object-oriented representations for the scene in the form of an object catalog and project catalog. (Col. 7, lines 33-35).

Thus, Lin and French, alone or in combination, do not disclose, teach or suggest those features recited in Applicant's dependent claims 4, 9, 15, 23, 30, 35, and 40. Accordingly, Applicant submits that the evidence relied upon by the Office no longer

supports the rejections made under § 103 and thus Applicant respectfully requests that the § 103 rejection be withdrawn.

CONCLUSION

Claims 1, 4, 7-15, 17-20, 23-26, 29-38, 40, and 41 are in condition for allowance. Applicant respectfully requests reconsideration and prompt allowance of the subject application. If any issue remains unresolved that would prevent allowance of this case, the Office is requested to contact the undersigned attorney to resolve the issue.

Respectfully submitted,

Lee & Hayes, PLLC

Date: March 24, 2009

By: /Kristina M. Kuhnert/
Kristina M. Kuhnert
Reg. No. 62,665
509.944.4717

Shirley Lee Anderson
Reg. No. 57,763